



OFFICE OF THE COUNTY MANAGER

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February 13, 2018

SENT VIA FIRST CLASS MAIL

Bernard J. DiMuro
DIMUROGINSBERG, PC
1101 King Street
Suite 610
Alexandria, VA 22314

Dear Mr. DiMuro:

This letter is in response to your Virginia Freedom of Information Act request regarding William Bayne, Jr.

Enclosed please find a CD containing an audio recording of the BZA hearing responsive to your request. Our apologies for sending the incorrect recording. Also provided is a CD containing additional responsive records.

Pursuant to Virginia Code § 2.2-3705.1(13), account numbers were redacted from pages 57 and 58 of record 00001 and pages 96 and 97 of record 00093 previously provided to you. These redacted records are enclosed.

Pursuant to Virginia Code § 2.2-3705.1(2), part of records 00629 and 00635 previously provided to you were redacted as attorney-client privilege since the emails contained written advice of legal counsel regarding a zoning appeal. These redacted records are also enclosed.

The records that were withheld completely pursuant to Virginia Code § 2.2-3705.1(2) are emails that contain the written advice of legal counsel regarding zoning appeals. Many of these records are duplicative of each other.

Other records were withheld entirely because the records contain both the written advice of legal counsel pursuant to Virginia Code § 2.2-3705.1(2) and nonexempt records that were duplicates of records already provided to you. These records with redactions pursuant to Virginia Code § 2.2-3705.1(2) are enclosed. Again, these records contain duplicates of each other and records previously provided.

Additionally, enclosed are approximately five emails recently recovered that are responsive to your request. One recovered email is the written advice of legal counsel regarding a zoning appeal and is exempt from FOIA pursuant to Virginia Code § 2.2-3705.1(2).

There was a miscalculation in the number of photocopies made. Enclosed is a refund that includes the difference in the amount of copies provided and those charged. Our apologies for the error.

Thank you for contacting this office.

Sincerely,

Ina Chandler
Ina Chandler
Arlington County FOIA Officer

